



CALIFORNIA STATE BOARD OF EDUCATION ITEM # 28

APRIL 2003 AGENDA

SUBJECT:

Emergency Regulations to implement the Reading First Program, and commencement of the process to adopt permanent regulations.

☒ ACTION
☐ INFORMATION
☐ PUBLIC HEARING

RECOMMENDATION:

As may be necessary, (1) approve Emergency Regulations to implement the Reading First Program and (2) commence the process to adopt permanent regulations.

Summary of Previous State Board of Education Discussion and Action.

The State Board of Education approved the Reading First Plan at its May 2002 meeting. That plan was approved by the United States Department of Education on August 23, 2002. Since that time, litigation has been filed pertaining, in part, to the applicability of the state regulatory process (i.e., the Administrative Procedure Act) to implementation of various aspects of the state's Reading First Plan. By the time of the State Board's April meeting, developments in that litigation may make it necessary for the State Board to approve Emergency Regulations and to commence the process to adopt permanent regulations. The purpose of this item is to enable such actions to be taken if that is determined to be necessary.

Summary of Key Issue(s).

If Emergency Regulations and commencement of the permanent rulemaking process are determined to be necessary, a statement of reasons for the regulations will be included in the rulemaking package.

Fiscal Analysis (as appropriate).

The Emergency Regulations (and permanent regulations) would not, per se, have an impact on the total amount of funding for the Reading First Program. Reading First is entirely federally funded.

Background Information Attached to this Agenda Item.

If determined to be necessary, the proposed Emergency Regulations and documents relevant to the permanent rulemaking process will be provided as supplements.